

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JAMES DONALD JACKSON, JR.,

No. 2:13-cv-00798-ST

Petitioner,

ORDER

v.

MARK NOOTH,

Respondent.

James Donald Jackson, Jr.
6341425
Snake River Correctional Institution
777 Stanton Blvd
Ontario, OR 97914-8335

Pro Se Petitioner

Kristen E. Boyd
State of Oregon
Department of Justice
1162 Court Street, NE
Salem, OR 97301

Attorney for Respondent

HERNÁNDEZ, District Judge:

Magistrate Judge Stewart issued a Findings and Recommendation [65] on April 22, 2014, in which she recommends that the Court dismiss Petitioner's petition for writ of habeas corpus [3] with prejudice. Petitioner timely filed objections to the Findings and Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

I have carefully considered Petitioner's objections and conclude that the objections do not provide a basis to modify the recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court adopts Magistrate Judge Stewart's Findings and Recommendation [65]. Therefore, Petitioner's petition for writ of habeas corpus [3] is dismissed with prejudice.

IT IS SO ORDERED.

DATED this 1 day of Oct, 2014.



MARCO A. HERNÁNDEZ
United States District Judge